
Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/1009 of the European Parliament and of the Council, CMC 11: BY-PRODUCTS WITHIN THE MEANING OF DIRECTIVE 2008/98/EC. (See end of Document for details)

ANNEX II

Component Material Categories (CMCs)

PART II

REQUIREMENTS RELATED TO CMCS

CMC 11: BY-PRODUCTS WITHIN THE MEANING OF DIRECTIVE 2008/98/EC

1. An EU fertilising product may contain by-products within the meaning of Directive 2008/98/EC, except⁽¹⁾:
 - (a) animal by-products or derived products within the meaning of Regulation (EC) No 1069/2009,
 - (b) polymers,
 - (c) compost, or
 - (d) digestate.
2. The by-products shall have been registered pursuant to Regulation (EC) No 1907/2006, with a dossier containing:
 - (a) the information provided for by Annexes VI, VII and VIII to Regulation (EC) No 1907/2006, and
 - (b) a chemical safety report pursuant to Article 14 of Regulation (EC) No 1907/2006 covering the use as a fertilising product,

unless explicitly covered by one of the registration obligation exemptions provided for by Annex IV to Regulation (EC) No 1907/2006 or by point 6, 7, 8 or 9 of Annex V to that Regulation.

3. From 16 July 2022, the by-products shall comply with the criteria established by delegated act referred to in Article 42(7). An EU fertilising product placed on the market after that date shall not contain by-products referred to in point 1 which do not comply with such criteria.

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- (1) The exclusion of a material from CMC 11 does not prevent it from being an eligible component material by virtue of another CMC stipulating different requirements. See, for instance, CMC 3 on compost, CMCs 4 and 5 on digestate, CMCs 8 and 9 on polymers or CMC 10 on derived products within the meaning of Regulation (EC) No 1069/2009.

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